

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CESAR ESTRELLA,  
Plaintiff,

CIVIL ACTION

v.

**FILED**

MICHAEL J. ASTRUE,<sup>1</sup>  
Commissioner of the  
Social Security Administration,  
Defendant.

FEB 15 2008

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

NO. 05-5800

ORDER

AND NOW, this 15<sup>12</sup> day of February, 2008, upon independent review of the brief in support of review filed by Plaintiff, Defendant's response, and Plaintiff's reply thereto (Doc. Nos. 11, 12, 14), and after careful consideration of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is hereby **ORDERED** that:

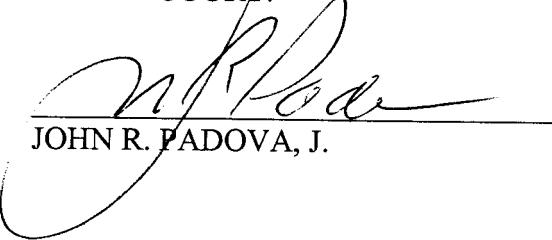
1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's request for review is **GRANTED** to the extent that the matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report;
3. The decision of the Commissioner is **REVERSED** for the purposes of this remand only; and

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<sup>1</sup>Defendant Michael J. Astrue is substituted as a party for Jo Anne B. Barnhart under Fed. R. Civ. P. 25(d)(1).

4. The Commissioner **SHALL** give this case priority and expedite any remaining proceedings so that the case may finally be resolved in as promptly a manner as is practicable.

BY THE COURT:

  
JOHN R. PADOVA, J.